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**TITLE 405 OFFICE OF THE SECRETARY OF
FAMILY AND SOCIAL SERVICES**

Proposed Rule
LSA Document #02-49

DIGEST

Amends 405 IAC 5-12-1 and 405 IAC 5-12-3 to limit Medicaid coverage for chiropractic services for all recipients to manual manipulations of the spine and x-rays, similar to Medicare coverage. Repeals 405 IAC 5-12-2, 405 IAC 5-12-4, 405 IAC 5-12-5, 405 IAC 5-12-6, and 405 IAC 5-12-7. Effective 30 days after filing with the secretary of state.

405 IAC 5-12-1	405 IAC 5-12-5
405 IAC 5-12-2	405 IAC 5-12-6
405 IAC 5-12-3	405 IAC 5-12-7
405 IAC 5-12-4	

SECTION 1. 405 IAC 5-12-1 IS AMENDED TO READ AS FOLLOWS:

405 IAC 5-12-1 Reimbursement

Authority: IC 12-8-6-5; IC 12-15-1-10; IC 12-15-1-15; IC 12-15-21-2; IC 12-15-21-3

Affected: IC 12-13-7-3; IC 12-15; IC 25-10-1-1

Sec. 1. (a) Medicaid reimbursement is available for covered services provided by a licensed chiropractor, enrolled as an Indiana Medicaid provider, when rendered within the scope of the practice of chiropractic as defined in IC 25-10-1-1 and 846 IAC 1-1, subject to the restrictions and limitations as described in the rule.

(b) Reimbursement is not available for any chiropractic services provided outside the scope of IC 25-10-1-1 and 846 IAC 1-1, or for any chiropractic service for which federal financial participation is not available.

(c) Reimbursement is limited to fifty (50) spinal manipulation treatments, per recipient, per year consistent with Medicare coverage, and x-rays subject to restrictions and limitations as described in the rule. (*Office of the Secretary of Family and Social Services; 405 IAC 5-12-1; filed Jul 25, 1997, 4:00 p.m.: 20 IR 3314; readopted filed Jun 27, 2001, 9:40 a.m.: 24 IR 3822*)

SECTION 2. 405 IAC 5-12-3 IS AMENDED TO READ AS FOLLOWS:

405 IAC 5-12-3 Chiropractic x-ray services

Authority: IC 12-8-6-5; IC 12-15-1-10; IC 12-15-1-15; IC 12-15-21-2; IC 12-15-21-3

Affected: IC 12-13-7-3; IC 12-15; IC 16-39-1-2; IC 25-10-1-1

Sec. 3. Medicaid reimbursement is available for chiropractic x-ray services, subject to the following restrictions:

(1) Reimbursement is limited to one (1) series of full spine x-rays per recipient per year. Component x-rays of the series are individually reimbursable; however, if components are billed separately, total reimbursement is limited to the allowable amount for the series. Prior authorization is not required.

(2) Reimbursement for localized spine series x-rays, and for x-rays of the joints or extremities, is allowable only when the x-rays are necessitated by a condition-related diagnosis. Prior authorization is not required.

(3) Diagnostic radiological exams of the head and vascular system, as defined by the applicable procedure code, are not reimbursable.

(4) Diagnostic ultrasound exams, as defined by the applicable procedure code, are not reimbursable.

(5) X-rays that may be necessitated by the failure of another practitioner to forward, upon request, x-rays or related documentation to a chiropractic provider, are not reimbursable. ~~Under IC 16-39-1-2~~, Chiropractors are entitled to receive x-rays from other providers at ~~the other providers' actual cost~~ **no charge to the recipient** upon a ~~patient's~~ **recipient's** written request to the other providers and upon reasonable notice.

(Office of the Secretary of Family and Social Services; 405 IAC 5-12-3; filed Jul 25, 1997, 4:00 p.m.: 20 IR 3314; readopted filed Jun 27, 2001, 9:40 a.m.: 24 IR 3822)

SECTION 3. THE FOLLOWING ARE REPEALED: 405 IAC 5-12-2; 405 IAC 5-12-4; 405 IAC 5-12-5; 405 IAC 5-12-6; 405 IAC 5-12-7.

Notice of Public Hearing

Under IC 4-22-2-24, notice is hereby given that on June 3, 2002 at 9:00 a.m., at the Indiana Government Center-South, 402 West Washington Street, Auditorium, Indianapolis, Indiana the Office of the Secretary of Family and Social Services will hold a public hearing on proposed amendments to limit benefits in chiropractic services for Medicaid recipients.

Written comments may be directed to MS-27 Office of General Counsel, Attention: Maureen Bartolo, 402 West Washington Street, Room W451, Indianapolis, Indiana 46204. Correspondence should be identified in the following manner: "COMMENTS RE: PROPOSED RULE AMENDMENT FOR RECIPIENTS IN NEED OF CHIROPRACTIC SERVICES, LSA #02-49". Written comments received will be made available for public display at the above listed address of the Office of General Counsel.

Copies of these rules are now on file at the Indiana Government Center-South, 402 West Washington Street, Room W451 and Legislative Services Agency, One North Capitol, Suite 325, Indianapolis, Indiana and are open for public inspection.

John Hamilton
Secretary
Office of the Secretary of Family and Social Services